

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO

WAYNE-DALTON CORP.,

CASE NO. 5:06CV1768

Plaintiff,

JUDGE LIOI

v.

AMARR COMPANY,

Defendant.

STIPULATION OF DISMISSAL WITH PREJUDICE

Now come the parties, through their undersigned counsel, and, pursuant to Rule 41(a)(1)(A)(ii) Fed. R. Civ. P., stipulate to the dismissal, with prejudice, of the remainder of the claims of the Complaint and Counterclaims herein, each party to bear its own costs and fees incurred in connection therewith.

This Stipulation of Dismissal with Prejudice constitutes a final resolution of this case and is filed pursuant to the Memorandum Opinion and Order (Doc. 156) of January 23, 2008, and the Order (Doc. 188) of January 28, 2009, staying the patent portion of this case and allowing any party to initiate further proceedings “in the same manner as if this Order [Doc. 156] had not been entered.” This Stipulation of Dismissal with prejudice brings to a close the remainder of the action herein not earlier disposed, subject to this Court retaining jurisdiction as specified below.

The parties have agreed and request that this Court retain jurisdiction over a certain Confidential Settlement Agreement and related Release and Confidential License

Agreement and Release, dated March 1, 2012, and upon which this Stipulation of Dismissal with Prejudice is predicated.

Respectfully submitted,

s:/Ray L. Weber

Ray L. Weber

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s:/John F. Morrow, Jr.

John F. Morrow, Jr.

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IT IS SO ORDERED.

Attorney for Amarr Company



HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE

November 9, 2012

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **STIPULATION OF DISMISSAL WITH PREJUDICE** was electronically filed on November 9, 2012. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s:/Ray L. Weber